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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,126	09/08/2003	Keiji Okinaka	03560.003347	8651
5514	7590	10/31/2006		EXAMINER
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				CANNING, ANTHONY J
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/656,126	OKINAKA ET AL.
	Examiner	Art Unit
	Anthony J. Canning	2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 11 July 2006.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,4-7,9-11,14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,4-7,9-11,14 and 15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____.

**DETAILED ACTION**

*Acknowledgement of Amendment*

1. The amendment to the instant application was received and entered on 11 July 2006.

*Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 4, 7, 9, 10, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forrest et al. (U.S. 6,125,226) in view of Wilson et al. (U.S. 5,994,835) and in further view of Matthies et al. (U.S. 2003/0011303).

4. Regarding claim 1, Forrest et al. disclose an organic electroluminescent display including: an organic electroluminescent device (see Fig. 2C, item 100; column 3, lines 33-35), having a microcavity structure (see Fig. 2C, item 112; column 3, lines 36-38), capable of emitting light resonating in the microcavity structure (column 3, lines 36-38); a light-gathering structure, overlying the organic electroluminescent device (see Fig. 2C, items 112 and 113, the light gathering structure 112 is on top of the electroluminescent device), capable of gathering the light emitted from the organic electroluminescent device; a light-shielding layer (see Fig. 2C, item 111; column 3, line 35), overlying the light-gathering structure (see Fig. 2C, items 111 and 112; the light-shielding layer 111 overlies the light-gathering region 112), having an opening through which a portion of the light emitted from the organic electroluminescent device passes (see Fig. 2C, region near item 119; column 3, lines 35-38). Regarding the limitations of color purity and degradation and diagonally blocked light rays, these are not structural limitations and are therefore not given patentable weight by the examiner. Forrest et al. do not teach that the light-gathering structure includes a lens having a focus, and the opening of the light-shielding layer is disposed in the vicinity of the focus of the lens. Forrest et al. also fail to teach that the light-shielding layer comprises a light-absorbing member capable of preventing external light transmitted from the outside from being reflected.

Wilson et al. disclose an organic light-emitting device with a light-gathering structure (see Fig. 3, item 206; column 6, lines 32-33), including a lens with a focus (see Fig. 3, item 242; column 8, lines 22- 25). Wilson et al. further disclose that the lens is capable of focusing the emitted light beam onto a plane.

Matthies et al. disclose an organic light-emitting device with light-absorbing member (paragraph 0008). Matthies et al. further disclose that the light-absorbing members increase display contrast (paragraph 0008, lines 3-5).

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the organic light-emitting device of Forrest et al. to include a lens with the light-gathering structure, as taught by Wilson et al., for the added benefit of focusing the emitted light beam onto a plane, and to include a light-absorbing member, as taught by Matthies et al., for the added benefit of an increased display contrast.

5. Regarding claim 4, Forrest et al. disclose an organic electroluminescent display including: an organic electroluminescent device array (see Fig. 2C, item 100; column 3, lines 20-25, lines 33-35) including a plurality of organic electroluminescent devices, each having a microcavity structure (see Fig. 2C, item 112; column 3, lines 36-38), capable of emitting light resonating in the microcavity structure (column 3, lines 36-38); a light-gathering layer including light-gathering structures overlying the light-gathering structures (see Fig. 2C, items 112 and 113, the light gathering structure 112 is on top of the electroluminescent device), arranged so as to correspond to the organic electroluminescent devices (see Fig. 2C), capable of gathering the light emitted from the organic electroluminescent devices; and a light-shielding layer, overlying the light-gathering structures (see Fig. 2C, items 111 and 112; column 3, line 35; item 111 reflects light emitted from the organic layer, from exiting the device until it has been wave-guided to the opening in the light-shielding layer, therefore it shields the light's exit of the device) having openings through which a portion of the light emitted from the organic electroluminescent devices passes (see Fig. 2C, region near item 119; column 3, lines 35-38),

wherein the organic electroluminescent devices are arranged in a plane and the openings are arranged so as to correspond to the light-gathering structures (see Fig. 2C). Regarding the limitations of color purity and degradation and diagonally blocked light rays, these are not structural limitations and are therefore not given patentable weight by the examiner. Forrest et al. do not teach that the light-gathering structure includes a lens having a focus, and the opening of the light-shielding layer is disposed in the vicinity of the focus of the lens. Forrest et al. also fail to teach that the light-shielding layer comprises a light-absorbing member capable of preventing external light transmitted from the outside from being reflected.

Wilson et al. disclose an organic light-emitting device with a light-gathering structure (see Fig. 3, item 206; column 6, lines 32-33), including a lens with a focus (see Fig. 3, item 242; column 8, lines 22- 25). Wilson et al. further disclose that the lens is capable of focusing the emitted light beam onto a plane.

Matthies et al. disclose an organic light-emitting device with light-absorbing member (paragraph 0008). Matthies et al. further disclose that the light-absorbing members increase display contrast (paragraph 0008, lines 3-5).

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the organic light-emitting device of Forrest et al. to include a lens with the light-gathering structure, as taught by Wilson et al., for the added benefit of focusing the emitted light beam onto a plane, and to include a light-absorbing member, as taught by Matthies et al., for the added benefit of an increased display contrast.

6. Regarding claim 7, Forrest et al., Wilson et al., and Matthies et al. disclose the display according to claim 4, wherein the light-gathering structures of the light-gathering layer are

arranged at a pitch smaller than or equal to a pitch at which the organic electroluminescent devices of the organic electroluminescent device array are arranged. The light-gathering layer in figure 2C is item 112. The organic electroluminescent layer of figure 2C is item 113. Items 112 and 113 are parallel to one another; therefore they have the same pitch, or slope.

7. Regarding claim 9, Forrest et al., Wilson et al., and Matthies et al. disclose the display according to claim 4, wherein the openings are arranged such that light emitted in the direction perpendicular to a plane on which the organic electroluminescent devices are arranged passes through each opening (see Fig. 2C, the light rays, drawn as lines and arrows, exit the waveguide perpendicular to the organic electroluminescent device).

8. Regarding claim 10, Forrest et al., Wilson et al., and Matthies et al. disclose the display according to claim 4. Forrest et al. fail to disclose that the openings have a size determined based on a wavelength of light emitted from the organic electroluminescent devices.

Wilson et al. disclose an organic light-emitting device wherein the openings have a size determined based on a wavelength of light emitted from the organic electroluminescent devices (column 3, lines 50-52). Because the thickness of the waveguide layer is also the diameter of the opening (see Fig. 3, items 206 and 238) the thickness chosen to allow the waveguide to function more efficiently, by being a multimode waveguide for multiple modes of the light beam, the opening acts as the same.

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the organic light-emitting device of Forrest et al. to include that the openings have a size determined based on a wavelength of light emitted from the organic electroluminescent devices, as taught by Wilson et al., for the added benefit of improving the

efficiency of the device by allowing the waveguide to function as a multimode waveguide for multiple modes of the light beam.

9. As to claim 14, Forrest et al. disclose an apparatus including: organic light emitting devices, which are designed to concentrate emitted light for high brightness (column 1, lines 5-7), having a microcavity structure (see Fig. 2C, item 112; column 3, lines 36-38), capable of emitting light resonating in the microcavity structure (column 3, lines 36-38); a light-shielding layer (see Fig. 2C, item 111; column 3, line 35; item 111 reflects light emitted from the organic layer, from exiting the device until it has been wave-guided to the opening in the light-shielding layer, therefore it shields the light's exit of the device) having an opening through which a portion of the light emitted from the organic electroluminescent device passes (see Fig. 2C, region near item 119; column 3, lines 35-38); and a light-gathering structure, disposed between the organic electroluminescent device and the light-shielding layer (see Fig. 2C, item 217, a portion of item 217, the sloped region on the right hand side of the device is disposed between the organic electroluminescent layer (item 113) and the light shielding region (item 111)), capable of gathering the light emitted from the organic electroluminescent device. Although, a controller for providing image information is not specifically disclosed, because the organic light emitting device of Forrest et al. is designed to concentrate emitted light for high brightness (column 1, lines 5-7), there must be a controller in the organic light emitting device of Forrest et al., to concentrate the emitted light for high brightness. Regarding the limitations of color purity and degradation and diagonally blocked light rays, these are not structural limitations and are therefore not given patentable weight by the examiner. Forrest et al. do not teach that the light-gathering structure includes a lens having a focus, and the opening of the light-shielding layer is

disposed in the vicinity of the focus of the lens. Forrest et al. also fail to teach that the light-shielding layer comprises a light-absorbing member capable of preventing external light transmitted from the outside from being reflected.

Wilson et al. disclose an organic light-emitting device with a light-gathering structure (see Fig. 3, item 206; column 6, lines 32-33), including a lens with a focus (see Fig. 3, item 242; column 8, lines 22- 25). Wilson et al. further disclose that the lens is capable of focusing the emitted light beam onto a plane.

Matthies et al. disclose an organic light-emitting device with light-absorbing member (paragraph 0008). Matthies et al. further disclose that the light-absorbing members increase display contrast (paragraph 0008, lines 3-5).

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the organic light-emitting device of Forrest et al. to include a lens with the light-gathering structure, as taught by Wilson et al., for the added benefit of focusing the emitted light beam onto a plane, and to include a light-absorbing member, as taught by Matthies et al., for the added benefit of an increased display contrast, and a controller capable of providing image information, since Forrest et al. disclose an organic light-emitting device designed to concentrate image brightness.

10. As to claim 15, Forrest et al. disclose an apparatus including: organic light emitting devices, which are designed to concentrate emitted light for high brightness (column 1, lines 5-7); each having a microcavity structure (see Fig. 2C, item 112; column 3, lines 36-38), capable of emitting light resonating in the microcavity structure (column 3, lines 36-38); a light-gathering layer including light-gathering structures, arranged so as to correspond to the organic

electroluminescent devices (see Fig. 2C, item 217, a portion of item 217, the sloped region on the right hand side of the device is disposed between the organic electroluminescent layer (item 113) and the light shielding region (item 111)), capable of gathering the light emitted from the organic electroluminescent devices; and a light-shielding layer (see Fig. 2C, item 111; column 3, line 35; item 111 reflects light emitted from the organic layer, from exiting the device until it has been wave-guided to the opening in the light-shielding layer, therefore it shields the light's exit of the device) having openings through which a portion of the light emitted from the organic electroluminescent devices passes (see Fig. 2C, region near item 119; column 3, lines 35-38), wherein the organic electroluminescent devices are arranged on a plane and the openings are arranged so as to correspond to the light-gathering structures (see Fig. 2C). Although, a controller for providing image information is not specifically disclosed, because the organic light emitting device of Forrest et al. is designed to concentrate emitted light for high brightness (column 1, lines 5-7), there must be a controller in the organic light emitting device of Forrest et al., to concentrate the emitted light for high brightness. Regarding the limitations of color purity and degradation and diagonally blocked light rays, these are not structural limitations and are therefore not given patentable weight by the examiner. Forrest et al. do not teach that the light-gathering structure includes a lens having a focus, and the opening of the light-shielding layer is disposed in the vicinity of the focus of the lens. Forrest et al. also fail to teach that the light-shielding layer comprises a light-absorbing member capable of preventing external light transmitted from the outside from being reflected.

Wilson et al. disclose an organic light-emitting device with a light-gathering structure (see Fig. 3, item 206; column 6, lines 32-33), including a lens with a focus (see Fig. 3, item 242;

column 8, lines 22- 25). Wilson et al. further disclose that the lens is capable of focusing the emitted light beam onto a plane.

Matthies et al. disclose an organic light-emitting device with light-absorbing member (paragraph 0008). Matthies et al. further disclose that the light-absorbing members increase display contrast (paragraph 0008, lines 3-5).

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the organic light-emitting device of Forrest et al. to include a lens with the light-gathering structure, as taught by Wilson et al., for the added benefit of focusing the emitted light beam onto a plane, and to include a light-absorbing member, as taught by Matthies et al., for the added benefit of an increased display contrast, and a controller capable of providing image information, since Forrest et al. disclose an organic light-emitting device designed to concentrate image brightness.

11. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forrest et al. (U.S. 6,125,226) in view of Wilson et al. (U.S. 5,994,835) and in further view of Matthies et al. (U.S. 2003/0011303) and Biebuyck et al. (U.S. 5,855,994).

12. Regarding claim 5, Forrest et al., Wilson et al. and Matthies et al. disclose the display according to claim 4. Forrest et al. fail to teach that the light-gathering layer includes first and second transparent members having different refractive indexes with spherical faces disposed therebetween.

Biebuyck et al. disclose an organic electroluminescent device wherein the light-gathering layer includes first and second transparent members having different refractive indexes with

spherical faces disposed therebetween (see Fig. 2, item 20; column 5, lines 14-22). Lenses are light-gathering layers by definition that they gather light and converge it to a point or disperse it by divergence. Lines 21-22 of column 5 state, “a second layer of Siloxane with a higher refraction index can be added to enhance the lensing.” Based on the shape of the curved face of lens, item 36, in figure 3, and the overhead view of the lenses, items 42, in figure 4, the lenses are spherical in shape.

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the organic light-emitting device of Forrest et al. to include first and second transparent members having different refractive indexes with spherical faces disposed therebetween, as taught by Biebuyck et al., for the added benefit of enhanced lensing.

13. Regarding claim 11, Forrest et al., Wilson et al. and Matthies et al. disclose the display according to claim 4. Forrest et al. fail to teach that the openings have a circular shape, a rectangular shape, or an elliptic shape.

Biebuyck et al. disclose an organic electroluminescent device wherein the openings have a circular shape, a rectangular shape, or an elliptic shape (see Fig. 1, the shape of item 18). The circular shape would match the shape of the lens, thereby focusing the maximum amount of light.

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the organic light-emitting device of Forrest et al. to include the openings have a circular shape, a rectangular shape, or an elliptic shape, as taught by Biebuyck et al., to focus the maximum amount of light.

14. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Forrest et al. (U.S. 6,125,226) in view of Wilson et al. (U.S. 5,994,835) and in further view of Matthies et al. (U.S. 2003/0011303) and Biebuyck et al. (U.S. 5,855,994) and further in view of Rawlings (U.S. 5,371,434).

15. Regarding claim 6, Forrest et al., Wilson et al., Matthies et al. and Biebuyck et al. disclose the display according to claim 5. Forrest et al., Wilson et al., Matthies et al. and Biebuyck et al. fail to disclose that the light-gathering layer includes a third transparent member having convex faces bulging toward the organic electroluminescent devices and a cavity portion disposed between the organic electroluminescent devices and the third transparent member.

Rawlings discloses an electroluminescent display with convex lenses (see Fig. 2, item 100; column 2, lines 64-68; column 3, lines 1-5). Rawlings further discloses that the lenses are used to focus the emitted light (column 1, lines 61-63).

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the electroluminescent display of Forrest et al. to include convex lenses, as taught by Rawlings, to focus the emitted light.

Forrest et al., Wilson et al., Matthies et al., Biebuyck et al., and Rawlings disclose the claimed invention except that the light-gathering layer includes a third transparent member having convex faces bulging toward the organic electroluminescent devices and a cavity portion disposed between the organic electroluminescent devices and the third transparent member. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the light-gathering layer includes a third transparent member having convex faces bulging toward the organic electroluminescent devices and a cavity portion disposed between the

organic electroluminescent devices and the third transparent member, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, USPQ 167.

***Response to Arguments***

16. Regarding the limitations of color purity and degradation and diagonally blocked light rays, these are not structural limitations and are therefore not do not distinguish the invention as claimed over the prior art of record. The structural limitations are rendered obvious by the prior art of record, and remain rejected.

17. The waveguide layer of Forrest acts as a microcavity structure, wherein light is resonated and emitted at the openings. The light blocking layer of Matthias blocks light, which renders that limitation of the current invention obvious. Wilson discloses a lens, which focuses light, as does the lens in the current invention. Therefore, the lens limitation of the current invention is rendered obvious.

***Final Rejection***

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Canning whose telephone number is (571)-272-2486. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh D. Patel can be reached on (571)-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Canning *Ac*

18 October 2006

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